

ED

Notice of Allowability

Notice of Allowability	Application No.	Applicant(s)
	10/645,443	BELDAM ET AL.
	Examiner	Art Unit
	Eric B. Compton	3726

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. This communication is responsive to an amendment filed 12/30/04.

2. The allowed claim(s) is/are 1-5,7 and 8.

3. The drawings filed on 18 August 2003 are accepted by the Examiner.

4. Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some* c) None of the:

1. Certified copies of the priority documents have been received.

2. Certified copies of the priority documents have been received in Application No. _____.

3. Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

6. CORRECTED DRAWINGS (as "replacement sheets") must be submitted.

(a) including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
1) hereto or 2) to Paper No./Mail Date _____.

(b) including changes required by the attached Examiner's Amendment / Comment or in the Office action of
Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

7. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. Notice of References Cited (PTO-892)

2. Notice of Draftsperson's Patent Drawing Review (PTO-948)

3. Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____

4. Examiner's Comment Regarding Requirement for Deposit
of Biological Material

5. Notice of Informal Patent Application (PTO-152)

6. Interview Summary (PTO-413),
Paper No./Mail Date _____.

7. Examiner's Amendment/Comment

8. Examiner's Statement of Reasons for Allowance

9. Other _____.

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Rod Baker on March 17, 2005.

The application has been amended as follows:

The title of the invention has been changed as follows: --A Method for making a multi-pass exhaust gas recirculation cooler.—

In claim 7, lines 5, 7, and 11, "fluid" (all occurrences) has been changed to —gas.—

Remarks

2. The amendment to the title was made to reflect the claimed invention. See e.g., claim 1 ("A method for making a multi-pass head exchanger core ..."); claim 4 ("A method for making a multi-pass folded flow exhaust gas recirculation cooler ..."); claim 7 ("A method for making a multi-pass cross-flow heat exchanger core ...").

3. Claim 7 was amended to further distinguish from Sasaki et al. In that reference the heat exchanger is a condenser, in which a heated gas enters, cools and undergoes a phase change. See Response dated December 30, 2004, page 9. Although, there is a difference in the ratio range of the inlet to outlet area of Sasaki and Applicant, there is some overlap in the area around 60%. Applicant amended claim 1 to reflect this that

there is no phase change to define over Sasaki. This amendment essentially parallels that amendment.

4. Applicant's amendment and argument in support thereof dated December 30, 2004, have been found persuasive.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric B. Compton whose telephone number is (571) 272-4527. The examiner can normally be reached on M-F, 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter D. Vo can be reached on (571) 272-4690. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Eric B. Compton
Primary Examiner
Art Unit 3726

ebc